

REMARKS

Upon entry of the foregoing Amendment, claims 27, 29-32, 34-38, 40-51, 54, 56-59, 61-65, and 67-80 are pending in the application. Claims 27, 30, 34, 36-37, 40-47, 49-51, 54, 57, 61, 63-64, 67-69, 71-74, and 76-78 have been amended. No claims have been cancelled. Claims 79-80 have been newly added. Support for the foregoing Amendment is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing Amendment and the following Remarks, allowance of all the pending claims is requested.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Examiner has rejected claims 27 and 54 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Examiner alleges that the language “based on the detected recipient” in claims 27 and 54 “is unclear and confusing if this recipient is different or the same as ‘a recipient’ [recited in connection with the features that relate to customizing the service output information] or ‘a recipient’ [recited in connection with the features that relate to detecting a recipient of the outbound telephone call].” In addition, the Examiner alleges that “the preamble of ‘providing service output information to a subscriber’” contradicts the features that relate to “customizing and delivering service output information based on the detected recipient” because the “term ‘recipient’ as normally defined takes on a human presence and therefore providing service output information to ‘a subscriber’ and ‘a recipient’ insinuates there are two people that receives [sic] this information.”

Solely to expedite prosecution, and in no way acknowledging the propriety of the alleged rejection, Applicants have amended claims 27 and 54 to further clarify the various features recited therein, and have further amended the preambles in claims 27 and 54 to further clarify the general nature associated with the system and method respectively recited therein. Accordingly, for at least that the preambles and the features recited in amended claims 27 and 54 are clear and definite, Applicants respectfully request that the Examiner withdraw this alleged rejection.

REJECTION UNDER 35 U.S.C. § 103

The Examiner has rejected claims 27, 29-32, 34-38, 40-50, 54, 56-59, 61-65, and 67-77 under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,144,938 to Surace et al. ("Surace") in view of U.S. Patent No. 5,873,032 to Cox et al. ("Cox"). This rejection is improper and must be withdrawn for at least the reason that the references relied upon, either alone or in combination, fail to disclose, teach, or suggest each and every feature recited in the claimed invention.

More particularly, Surace and Cox, either alone or in combination, fail to disclose, teach, or suggest one or more computer devices configured to "receive, from a subscriber during a subscription registration process, information specifying preferences for content and presentation of service output information from a service . . . and criteria to customize the presentation of the service output information depending on an identity associated with a recipient of [an] outbound telephone call [to deliver the service output information]" and "customize the presentation of the service output information to be delivered in ***the outbound telephone call*** depending on the detected identity associated with the recipient of the outbound telephone call," as recited in amended independent claim 27, for example. The Examiner alleges that Surace teaches a system that receives "criteria for customizing the service output information based on a recipient of the telephone call."

Applicants disagree with the Examiner's assessment for at least the reason that the cited passages in Surace do not disclose, teach, or suggest customizing information that is ***output*** during an outbound telephone call depending on the identity associated with a recipient of the outbound telephone call. In particular, the Examiner generally alleges that col. 16, lines 40-53 in Surace teaches the above-mentioned features relating to customization based on the telephone call recipient. However, contrary to the Examiner's assertion, the cited passages indicate that "the subscriber selects from several different personalities when selecting a virtual assistant . . . in order to choose the voice user interface with a personality that is best suited for the subscriber's needs." For example, Surace further describes how a "subscriber who is in a sales field may want an aggressive voice user interface with personality

that puts incoming calls through, but a subscriber who is an executive may want a voice user interface with personality that takes more of an active role in screening calls and only putting through important calls during business hours.”

As such, the cited passages in Surace generally describe technique that can enable a subscriber to specify the personality associated with a “virtual assistant” that may handle **incoming calls** on the subscriber’s behalf, which relates (at best) to customizing how the virtual assistant should route or otherwise handle the incoming calls. In other words, Surace does not disclose, teach, or suggest customizing any content or other information that may be delivered to the virtual assistant in the incoming calls, but rather describes how the virtual assistant’s personality may impact the manner in which the incoming calls are routed to the subscriber (i.e., the content or other information in the incoming calls does not change depending on the particular personality selected for the virtual assistant). In contrast, amended independent claim 27 recites, among other things, that the one or more computer devices “customize the presentation of the service output information **to be delivered in the outbound telephone call**” based on the detected identity associated with the recipient of the outbound telephone call.

Accordingly, for at least the reason that Surace does not describe using the selected personality associated with the virtual assistant to customize information to be delivered in an **outbound** telephone call, Surace fails to disclose, teach, or suggest at least the above-mentioned features recited in amended independent claim 27. Cox fails to cure at least this deficiency of Surace. As such, Surace and Cox, either alone or in combination, fail to disclose, teach, or suggest each and every feature recited in amended independent claim 27. The rejection is therefore improper and must be withdrawn.

Amended independent claim 54 includes features similar to those set forth in amended independent claim 27. Claims 29-32, 34-38, 40-50, 56-59, 61-65, and 67-77 depend from and add features to one of amended independent claims 27 and 54. Thus, the rejection of these claims is likewise improper and must be withdrawn for at least the same reasons.

ALLOWABLE SUBJECT MATTER / NEW CLAIMS 79-80

Applicants thank the Examiner for indicating that claims 51 and 78 would be allowable if rewritten in independent form to include all the subject matter recited in any intervening claims. As such, Applicants note that claims 51 and 78 have been rewritten in independent form to include all the subject matter recited in the previously intervening claims and therefore recite allowable subject matter. Furthermore, newly added independent claims 79-80 recite substantially similar features to the subject matter that the Examiner has indicated to be allowable and are therefore allowable for similar reasons. Applicants respectfully request notice to that effect.

CONCLUSION

Having addressed the outstanding rejections, Applicants respectfully submits that a full and complete response has been made to the Office Action. As such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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